

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

In re:

Oakwood Homes Corporation, et al.,

Debtors.

OHC Liquidation Trust,

Plaintiff,

v.

Credit Suisse (f/k/a Credit Suisse First Boston, a Swiss banking corporation), Credit Suisse Securities (USA), LLC (f/k/a Credit Suisse First Boston LLC), Credit Suisse Holdings (USA), Inc. (f/k/a Credit Suisse First Boston, Inc.), and Credit Suisse (USA), Inc. (f/k/a Credit Suisse First Boston (U.S.A.), Inc.), the subsidiaries and affiliates of each, and Does 1 through 100,

Defendants.

Chapter 11

Case No. 02-13396 (PJW)

Adv. Proc. No. 04-57060 (PJW)

Civil Action No. 07-799 (JJF)

**DEFENDANTS' MOTION TO EXCLUDE CERTAIN TESTIMONY AND DOCUMENTS  
RELATING TO CREDIT RISK MANAGEMENT REVIEWS**

Defendants Credit Suisse (f/k/a Credit Suisse First Boston, a Swiss banking corporation), Credit Suisse Securities (USA), LLC (f/k/a Credit Suisse First Boston LLC), Credit Suisse Holdings (USA), Inc. (f/k/a Credit Suisse First Boston, Inc.), and Credit Suisse (USA), Inc. (f/k/a Credit Suisse First Boston (U.S.A), Inc.) (collectively "Defendants"), by and through their undersigned counsel, hereby move this Court pursuant to Federal Rule of Evidence 402 and 403 for an order granting Defendants' motion to exclude certain testimony and documents relating to credit risk management reviews.

In support of their motion, Defendants rely upon the accompanying (i) Memorandum of Law in Support of Defendants' Motion to Exclude Certain Testimony and Documents Relating to Credit Risk Management Reviews and (ii) the Declaration of Elizabeth M. Dowd in Support of Defendants' Motion to Exclude Certain Testimony and Documents Relating to Credit Risk Management Reviews.

WHEREFORE, the Defendants respectfully request that the Court enter an Order substantially in the form of the proposed order attached hereto as Exhibit A, and grant such other and further relief as the Court deems just and proper.

Dated: April 16, 2008  
Wilmington, Delaware

Respectfully submitted,



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EXHIBIT A

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Defendants.

Re: Dkt. No. \_\_\_\_\_

**ORDER GRANTING DEFENDANTS' MOTION TO EXCLUDE  
CERTAIN TESTIMONY AND DOCUMENTS RELATING  
TO CREDIT RISK MANAGEMENT REVIEWS**

Upon consideration of the *Defendants' Motion to Exclude Certain Testimony and Documents Relating to Credit Risk Management Reviews* (the "Motion to Exclude") filed by Credit Suisse (f/k/a Credit Suisse First Boston, a Swiss banking corporation), Credit Suisse Securities (USA), LLC (f/k/a Credit Suisse First Boston LLC), Credit Suisse Holdings (USA), Inc. (f/k/a Credit Suisse First Boston, Inc.), and Credit Suisse (USA), Inc. (f/k/a Credit Suisse First Boston (U.S.A.), Inc.) (collectively, "Defendants") and any opposition thereto; and the

Court having determined that the legal and factual bases set forth in the Motion to Exclude establish just cause for the relief requested therein;

IT IS HEREBY ORDERED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2008 THAT:

1. The Motion to Exclude is GRANTED.

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THE HONORABLE JOSEPH J. FARNAN, JR.